

Response the Congresswomen Lee's Questions Concerning CES Facility
DRAFT April 6, 2015

1. Requested a copy of the action memo

A copy was provided to 6XA on Friday March 20, 2015.

2. Copy of project budget projection and actual funds avail to project

At the request of TCEQ, EPA is conducting a time critical removal action to address the immediate threats which are tanks, drums and containers of waste materials. EPA's budget for this phase is \$2 million. EPA expects to complete this time critical removal in early summer. The Potential Responsible Parties are negotiating with TCEQ to address the longer term remediation of possible soil contamination through the State's Voluntary Cleanup Program. If this process does not work out, EPA will consider its statutory options, including possible enforcement, to address longer termed threats such as possible soil contamination.

3. Harris County Flood District role

The Harris County Flood District is currently not participating in this project. However, the City of Houston and the Houston Regional TCEQ office are meeting routinely with EPA during this time critical removal process.

4. State role and \$ contribution

The TCEQ Project Budget is up to \$500,000 to pay for the disposal of materials at the CES site. The TCEQ has begun disposal work at the site and to date has removed approximately 150,000 cubic yards of solids and 15,000 gallons of hazardous waste water from the site. TCEQ is also taking the oversight lead for the longer term remediation at the site by negotiating with the Potential Responsible Parties to conduct the work under the State's Voluntary Cleanup Program.

5. City role and \$ contribution

The City of Houston is providing the following:

- Permission to discharge into Sanitary Sewer as needed - EPA is to record the volume discharged and the City intends on billing the Trustee for the cost through the Bankruptcy.
- Approval to use water from the city hydrant. EPA has used approximately 20000 gallons.
- Provided EPA with 4 road barriers to place in front of fence at Wayland Street to assist with limiting site access.
- The City of Houston responded to an off-site release from the facility due to vandalism in the summer of 2014.
- The City also periodically provides air monitoring support in the residential area with their Mobile Air Monitoring Unit (At beginning of project, during process if asked by OSC, if complaint by community).

6. Cost estimate of clean up to residential standards

EPA does not have an estimate for cleaning the site up to residential standards. As stated above, EPA is conducting a time critical removal action to address the immediate threats which are tanks, drums and containers of waste materials. EPA's budget for this phase is \$2 million. EPA expects to complete this time critical removal in early summer. TCEQ plans to take the oversight lead for the longer term remediation at the site. Site sampling and demolition estimates will be necessary to estimate the overall cost of cleaning up.

7. Dr. Bullard assistance

Early in the removal process, EPA met with a professor and students with the Urban Planning and Environmental Policy Department of Texas Southern University. The purpose of the meeting was to inform the group about EPA's activities of the site. We will pass Dr. Bullard's contact information on to the TCEQ for any longer term response action coordination.

8. Future use - why can't cleanup cost give property to city

TCEQ plans to take the oversight lead for the longer term remediation at the site. CES is currently in bankruptcy proceedings and the bankruptcy court will decide final ownership of the property. EPA has no authority to force land owners to transfer property ownership.

9. HHS and TDSHS health assessment

The EPA requested the Texas Department of State Health Services (TDSHS) be involved through the Agency for Toxic Substances and Disease Registry (ATSDR) early on in the project. ATSDR and TDSHS met with the residents regarding their health concerns. It is our understanding that a health assessment has not been conducted. Below is the information for the TDSHS contact.

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TDSHS
Environmental & Injury Epidemiology & Toxicology Unit
PO Box 149347
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10. Possibility of Brownfields

Brownfields is not an option at this time since EPA is currently conducting a time critical removal action. TCEQ is taking the oversight lead for the longer term remediation at the site and is working with the Potentially Responsible Parties (PRPs) to enroll in the State of Texas Voluntary Cleanup Program (VCP). Once cost recovery is completed, the brownfields program and resources become an option.

11. Other agency funds for long term restoration

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